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March 10, 2010

The Honorable Sandra J. Feuerstein  
United States District Judge  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11722

**Order**

**The application is:**

☒ **granted**  
☐ **denied**  
☐ **referred to Magistrate Judge \_\_\_\_\_ for**  
☐ **decision**  
☐ **report and recommendation**

3/11/10

**Re: SEC v. Symbol Technologies, Inc., Tomo Razmilovic, et al.**  
**Case No. 2:04-CV-02276-SJF-WDW**

Dear Judge Feuerstein:

On March 8, 2010, the Commission filed its Plaintiff's Pre-Hearing Brief in this matter. As the Court might anticipate, defendant Mr. Razmilovic does not agree with many of the assertions of law and fact contained in the Commission's Brief. Rather than respond more formally at this time to all of the issues raised in the Commission's brief, however, and with the Court's indulgence, we would like the opportunity to set forth defendant's legal and factual position in this proceeding in a Post-Hearing Brief to be submitted within two weeks after the close of the hearing. We believe that this procedure will benefit the Court by allowing us to tie our arguments to the evidentiary record actually developed (and any additional legal issues raised) in the hearing, as well as allow us to focus our resources on preparing for the hearing in the short time remaining.

Thank you for the Court's consideration

Respectfully submitted,

DLA Piper LLP (US)

Jeffrey B. Coopersmith  
Partner

Admitted Pro Hac Vice

cc: All Counsel of Record  
WEST21895761.2